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7 Attorneys for Defendant  
8 VARIAN MEDICAL SYSTEMS, INC.

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 SAN FRANCISCO DIVISION

12 UNIVERSITY OF PITTSBURGH OF THE  
13 COMMONWEALTH SYSTEM OF HIGHER  
14 EDUCATION d/b/a UNIVERSITY OF  
15 PITTSBURGH, a Pennsylvania non-profit  
corporation (educational),

16 Plaintiff,

17 v.

18 VARIAN MEDICAL SYSTEMS, INC., a  
Delaware corporation,

19 Defendant.  
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Case No. CV 08 2973 MMC

**NOTICE OF CORRECTION**

Date: September 5, 2008  
Time: 9:00 a.m.  
Courtroom: 7, 19th Floor

**Filed Electronically**

1 TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on July 23, 2008, Varian Medical Systems, Inc. ("Varian")  
3 filed a Notice of Motion and Motion to Dismiss Plaintiff's Claims Pursuant To Fed. R. Civ. P.  
4 12(B)(6) Based On Doctrine Of Res Judicata; Memorandum Of Points And Authorities In  
5 Support Thereof ("Notice of Motion and Motion to Dismiss") and failed to include the Table of  
6 Contents and Table of Authorities. Therefore, Varian is filing concurrently with this notice a  
7 Corrected Notice of Motion and Motion to Dismiss which includes these tables. The Corrected  
8 Notice of Motion and Motion to Dismiss is otherwise the same as the original.

9 Dated: July 25, 2008.

10 WILLIAM L. ANTHONY  
11 MATTHEW H. POPPE  
12 ZHENG LIU  
13 ORRICK, HERRINGTON & SUTCLIFFE LLP

14 By: /s/ Matthew H. Poppe  
15 Matthew H. Poppe  
16 Attorneys for Defendant  
17 VARIAN MEDICAL SYSTEMS, INC.  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the NOTICE OF CORRECTION  
was served upon the University of Pittsburgh, through its counsel, via:

_____	Hand-Delivery
_____	Facsimile
_____	First Class, US Mail, Postage Prepaid
_____	Certified Mail-Return Receipt Requested
<u>  X  </u>	ECF Electronic Service
_____	Overnight Delivery

at the following addresses:

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Dated: July 25, 2008

/s/ Matthew H. Poppe  
Matthew H. Poppe